



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

TAMMARA RAMSEY,

Plaintiff,

vs.

2400 MACARTHUR LTD, a Texas
Limited Partnership d/b/a The Mansions
at Riverside and Richard Harrison, an
individual,

Defendants.

CJ-2018-00034

Case No.:

Judge:

DANA LYNN KUEHN

**DISTRICT COURT
FILED**

JAN - 4 2018

PETITION

DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY

COMES NOW Plaintiff, Tammara Ramsey, by and through her attorneys of record,

Daniel B. Graves, William C. McLain, Rachel E. Gusman, and Elaina M. Osteen of the law firm GRAVES MCLAIN, PLLC and for her cause of action against the Defendant, 2400 Macarthur LTD. d/b/a The Mansions at Riverside and Defendant Richard Harrison, alleges and states as follows:

I. PARTIES, JURISDICTION, AND VENUE

1. Plaintiff, Tammara Ramsey ("Plaintiff") is now, and at all times relevant to this action has been, a resident of Tulsa County, Oklahoma.

2. On information and belief, Defendant 2400 Macarthur LTD. d/b/a The Mansions at Riverside ("Defendant Mansions") is now, and at all times relevant to this action has been, a resident of Dallas County, Texas. The Mansions Apartments are located in Tulsa County, Oklahoma.

3. On information and belief, Defendant Richard Harrison ("Defendant Harrison") is now and at all times relevant to this action has been, a resident of Tulsa County, Oklahoma.

4. The events and circumstances giving rise to Plaintiff's claims occurred in Tulsa County, Oklahoma.

5. This Court has jurisdiction over the subject matter of this claim, personal jurisdiction over the parties, and venue is properly lodged with this Court.

II. OPERATIVE FACTS

6. On or about January 21, 2016, Plaintiff was a tenant at Defendant Mansions' apartment community located at 2805 E. 97th Court South, Tulsa, Oklahoma.

7. Prior to January 21, 2016, Defendant Harrison had performed maintenance work on an HVAC unit vent above the shower in Plaintiff's apartment unit.

8. On January 21, 2016, Plaintiff stepped in the shower onto a screw in the floorpan of the shower left behind by Defendant Harrison.

9. On information and belief, Defendant Harrison was either an employee or an independent contractor of Defendant Mansions at all times relevant to this claim.

10. Plaintiff had not done repairs in or around her shower and did not see the screw before she stepped on it.

11. Plaintiff sought medical care for her injuries and experienced complications and a prolonged convalescence ending in permanent injury.

III. CAUSE OF ACTION

FIRST CLAIM FOR RELIEF (Negligence – Defendant Mansions and Defendant Harrison)

12. Plaintiff re-pleads paragraphs 1 through 11 as though fully set forth herein.

13. Defendant Mansions had a duty to maintain its premises in a reasonably safe condition and train their employees to take reasonable measures to clean up their work areas and remove harmful debris.

14. Defendant Mansions negligently failed to maintain its premises in a reasonably safe condition; negligently failed to take precautionary measures to prevent this dangerous condition, and negligently failed to adequately warn Plaintiff of the dangerous condition.

15. Defendant Harrison is independently liable as an independent contractor or Defendant Mansions is liable for Defendant Harrison's actions under the doctrine of respondeat superior.

16. The acts and/or omissions of Defendant Mansions and Defendant Harrison were in reckless disregard for the rights of others when they knew or should have known that their acts or omissions could cause great bodily injury or death.

17. As a direct result of the negligence of Defendant Mansions and Defendant Harrison, Plaintiff suffered physical injury resulting in pain, suffering, temporary and permanent disability, and disfigurement, scarring and medical expenses.

WHEREFORE, Plaintiff Tammara Ramsey prays for judgment against Defendant 2400 Macarthur LTD. and Defendant Richard Harrison for an award of damages in excess of \$75,000.00; for an award of punitive damages in excess of \$75,000.00; for interest, costs, including attorneys' fees, and for all such other relief the Court deems proper and equitable.

Respectfully submitted,

By: 

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